

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DAVID WEXLER,

Plaintiff,

Docket No. 2:20-cv-1370-DRH-ARL

- against -

USIC LOCATING SERVICES, LLC

Defendant.

[PROPOSED] DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on plaintiff David Wexler (“Plaintiff”)’s motion for entry of a default judgment against defendant USIC Locating Services LLC (“Defendant”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2.

WHEREAS, Plaintiff filed his application for entry of default judgment seeking \$7,500.00 in statutory damages under 17 U.S.C. § 504(c); \$5,000.00 in statutory damages under 17 U.S.C. § 1202(b)(3); \$315.00 in attorneys’ fees and \$440.00 costs under 17 U.S.C. § 505; and for such further relief as this Court deems just and proper.

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment. The Court scheduled a hearing for Plaintiff’s application on _____, _____ and Defendant failed to appear.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff’s Application for Entry of Default Judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff's exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff's registered work; it is

FURTHER ORDERED that Defendant shall pay \$7,500.00 in statutory damages under 17 U.S.C. § 504(c); it is

FURTHER ORDERED that Defendant shall pay \$5,000.00 in statutory damages under 17 U.S.C. § 1203(c)(3)(B); it is

FURTHER ORDERED that Defendant shall pay \$315.00 in attorneys' fees and \$440.00 in costs pursuant to 17 U.S.C. § 505; it is

FURTHER ORDERED, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: _____

SO ORDERED.

Denis R. Hurley (U.S.D.J.)